

## State criminal justice program is already failing

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Something of a natural experiment is under way in our criminal justice system as the Victorian Government implements sweeping changes to sentencing laws and parole. The early results from this experiment send a strong warning about the social, financial and community safety costs if we don't urgently adopt a different approach.

When the Coalition took office in 2010, the prison population had already risen sharply over the past decade, partly because courts were imposing longer sentences. The Coalition inherited a prison system that was at capacity and that couldn't accommodate growth.

Instead of alleviating the pressure on the system, the new Government ramped it up by pressing ahead with a range of sentencing reforms framed by its election claim that "Victorians are sick and tired of seeing offenders receive hopelessly inadequate sentences time and time again".

These reforms typically feature harsher punishment and reduced court discretion. They increase the likelihood of more people going to jail and for longer.

Parole reforms are compounding the pressure. More prisoners are likely to serve their maximum sentence to be released straight into the community without the supervision and conditions that gradual release under parole entails.

Unsurprisingly, these changes are causing Victoria's prison population to rapidly accelerate. The Auditor General's 2012 report notes that the population grew almost 40 per cent over the decade to 2012 and is estimated to rise by that amount again but in only half the time. Victoria's imprisonment rate is still one of the lowest in Australia but it is growing at one of the fastest rates. With the full impact of many reforms yet to be felt, things will get worse.

This rapid rise in imprisonment is bad for taxpayers, police, prisoners, prison guards and most importantly, for community safety.

Overcrowding in our prisons is getting worse. Serious incidents of self-harm, attempted suicide and prisoner-on-prisoner assaults are up. Assaults on prison guards are up. Deaths in custody have risen.

Police cells are operating well in excess of agreed capacity, tying up police resources, making it difficult for police to safely and humanely manage cells and disrupting the court system.

The strain on prisons is limiting access to programs that reduce the risk of prisoners reoffending on release. Every year the Parole Board highlights the lack of housing and mental health services for people exiting prisons. Recent Auditor-General and Ombudsman reports made similar criticisms. These programs aren't about being soft on prisoners. They're about stopping crime. Studies have shown a strong link between stable housing on release and reduced reoffending.

One of the quiet success stories of the previous government was a significant drop in the rate of prisoners reoffending after release. That rate has now turned around, increasing 17% since 2009-10.

This week's State Budget confirmed the enormous financial cost behind these reforms. Factoring in inflation, the \$942 million prison budget for 2014-15 is more than double what we were spending 10 years ago, with spending accelerating heavily in the past four years.

Is any of this making us safer? Police crime statistics seem to show otherwise. Overall crime, after dropping for a decade, has risen for the past two years.

These issues matter deeply for the people we are locking up under increasingly oppressive conditions. There are

more than 5000 prisoners in Victoria. Tony Mokbel and Adrian Bayley might feature in the public consciousness when we think of prisons but the reality is that the lives of most prisoners feature high rates of mental illness, intellectual disability, poor education, unemployment and substance abuse.

Aboriginal Victorians are 13 times more likely to be in jail and good work to reduce this rate under the Victorian Aboriginal Justice Agreement is being undone by the sentencing reforms.

More broadly these issues matter deeply for the Victorian community. We need to stop the murders, rapes, family violence and other assaults. There are far better, less expensive and more humane ways to reduce crime than locking up more disadvantaged people for longer. Instead of spending literally billions of dollars on prison expansion we should be targeting the reasons why people commit crime in the first place.

Justice reinvestment reforms in the United States provide a model for a new approach in Victoria. Conservative US state governments are redirecting prison spending towards cost-effective programs that cut crime such as drug courts, substance abuse programs and prisoner education and transition services. Prison populations, prison spending and crime rates are all dropping at the same time.

The recent Victorian Court of Appeal case of Arthur Aggelidis highlights what's at stake.

Aggelidis has a long history of serious mental illness compounded by drug abuse. Yet he was released from prison on parole without appropriate accommodation, without a referral to a local mental health service and without identification needed to get assistance and treatment.

Within weeks of release he had a mental crisis culminating in a serious knife assault on a police officer. The court said that his offending could be traced directly to the failure to provide proper transition services and said his offending was "entirely predictable and almost certainly preventable". He is responsible for his crimes but the system that failed him shares that responsibility.

Instead of warehousing people like Aggelidis in increasingly overcrowded prisons, we need a new approach that targets our criminal justice spending towards tackling the causes of crime. We can reduce Victoria's prison population, prison spending and crime rate at the same time.

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